



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas Thoröe SCHERB et al.

Appln. No. : 09/769,464

Filed : January 26, 2001

For : MACHINE AND PROCESS FOR PRODUCING A TISSUE WEB

Group Art Unit: 1731

Examiner: K. Hastings

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RESPONSE UNDER 37 C.F.R. 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of January 15, 2003, the period for response having been extended from April 15, 2003 to May 15, 2003, reconsideration of this action and allowance of all the claims of the present application are respectfully requested and are now believed appropriate in view of the following remarks.

REMARKS

Summary of the Response

Upon entry and consideration of the instant response, claims 1 - 26 will currently remain pending.

Summary of the Official Action

In the instant Office Action, the Examiner has rejected claims 1 - 26 over the art of record. By the present amendment and remarks, Applicants submit that the rejections have

been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Traversal of Rejection Under 35 U.S.C. § 103(a)

1. Over SE '053 or Hay in view of Albany and Kamps

Applicants traverse the rejection of 1 - 26 under 35 U.S.C. § 103(a) as being unpatentable over SE 427 053 [hereinafter "SE '053"] or HAY et al. (U.S. Patent No. 6,237,644) [hereinafter "HAY"] further as needed with ALBANY and KAMPS et al. (U.S. Patent No. 6,203,663) [hereinafter "KAMPS"]. The Examiner asserts that SE '053 and HAY show all recited features except the specific dimensions of the zones, but that these dimensions are deemed inherently included in these references. Moreover, the Examiner refers to Applicants' disclosure which indicates that fabrics such as SE '053 and HAY can be used. Applicants traverse the Examiner's assertions.

Applicants' independent claim 1 recites, *inter alia*, a forming region with at least one circulating, continuous dewatering wire, wherein said dewatering wire comprises *at least two zones having different wire permeabilities* formed by warp and weft threads and each at least two zones has *at least one dimension of length and width less than 5 mm*. Applicants' independent claim 11 recites, *inter alia*, forming the tissue web in a forming region of the tissue machine on at least one circulating, continuous dewatering wire comprising *at least two zones having different wire permeabilities* formed by warp and weft threads, in which each at least two zones has *at least one dimension of length and width of less than 5 mm*.

Applicants submit that no proper combination of SE '053 or HAYS in view of ALBANY and KAMPS teaches or suggests at least the above-noted features of the instant invention.

While acknowledging that DE '053 and HAY are examples of wires with at least two zones having different wire permeabilities, Applicants have made no admission that the zones are dimensioned in the manner recited in the independent claims, i.e., each at least two zones has *at least one dimension of length and width less than 5 mm*. Moreover, while the forming fabrics of SE '053 and HAY are woven in the desired manner to produce the zones of different wire permeability, both these documents expressly disclose that these wires are specifically intended as embossing fabrics, i.e., fabrics structured to make an imprint in the forming web surface that results in an aesthetically pleasing finished product. Applicants further note that KAMPS is also an embossing wire specially designed to form various designs or patterns in the web.

However, in contrast to the cited patent documents, Applicants note that the instant invention is not intended or utilized for the purpose of embossing or patterning the forming web. Instead, the recited at least one dewatering wire with zonally different wire permeabilities having the recited dimensions is specially designed to improve web properties such as water absorption capacity, water absorption rate, water retention capacity, specific volume (bulk), (*see* Specification, paragraph [0004]), which is neither disclosed or suggested by SE '053, HAY, or KAMPS. Accordingly, the at least one dewatering wire with zonally

different wire permeabilities of the instant invention is provided with small, systematically arranged areas with different wire permeabilities that, when utilized in accordance with the invention, produce a web with constant properties, i.e., uniform properties over the entire web, with regard to the web's usability, i.e., bulk, handfeel, etc. Moreover, as the areas of different permeability in at least one dewatering wire with zonally different wire permeabilities are small, i.e., the dimensions are less than 5 mm, as discussed in paragraph [0012] of the disclosure, a *nearly homogeneous web*, not the patterned or textured web formed by SE '053, HAY, or KAMPS, is formed.

By way of example, Applicants note that, e.g., by changing a spacing between wires in the weave pattern, it is apparent that the amount of water and/or stock flowing through the wire (or remaining on the wire) would correspondingly change. Thus, it is not unusual that changing a dimension of a known wire would provide different results. While the above-noted change is apparent, Applicants note that not all such changes in dimension provide obvious results. The present invention is one such case.

In other words, the instant inventors sought to improve the above-discussed physical characteristics of the web while producing a nearly homogeneous web, i.e., not patterned or textured. In this regard, while the two zoned embossing wires of SE '053 and HAY were known, the wires were specially intended to create a pattern or texture in the web that the instant inventors sought to avoid. What the inventors found is, by modifying the weave

pattern of wires such as HAY to the dimensions recited in the pending claims, the embossing effect was rendered nugatory, i.e., no visually perceptible imprint or pattern is made on the web, but that above-noted physical properties of the web, which were desired by the inventors, were greatly enhanced. Thus, Applicants note that the instant invention cannot be construed as a mere "change in dimension" because the resulting wire no longer operates in the manner intended by SE '053 or HAY because the web produced is nearly homogeneous and formed without the pattern or textured intended by the prior art. Moreover, Applicants note that, as neither SE '053 nor HAY teach or suggest that their specific wires will enhance the physical characteristics of the web which result from the instant invention, the present invention is not rendered obvious.

Further, while the Examiner has also cited ALBANY and KAMPS, Applicants submit that neither of these documents provide any teaching or suggestion for modifying the dimensions of the weave pattern of SE '053 or HAY in any manner that would render the instant invention unpatentable. In particular, Applicants note that, as it is the express intention of both SE '053 and HAY to emboss the forming web, neither document provides any teaching or suggestion of reducing the weave pattern dimensions to an extent that a nearly homogeneous web is produced. Further, Applicants submit that neither ALBANY nor KAMPS provides any teaching or suggestion of modifying SE '053 or HAY in any manner that would be contradictory to their intention of embossing a forming web.

Thus, while the Examiner has cited ALBANY as disclosing common yarn diameters used in paper machine cloth, the Examiner has provided no evidence that this yarn of ALBANY corresponds to the threads utilized in either SE '053 or HAY nor has she provided any specific teaching that using the weaving the yarn of ALBANY in manner set forth in SE '053 or HAY would result in an embossing wire that operates in the manner intended by the primary references. Moreover, Applicants note that, even assuming, *arguendo*, that all of the Examiner's assertions are true (which Applicants submit they are not) and the yarn of ALBANY woven in the manner described in SE '053 or HAY results in a wire having the recited dimensions, Applicants submit that, as discussed above, the pattern dimensions would be too small to form the desired visual imprints or embossing on the forming web. As such, Applicants submit that the asserted modification would render both SE '053 and HAY incapable of operating in their intended manners, which renders the asserted combination improper.

To be obvious, the Examiner must show that the art teaches or suggests the motivation or rationale for combining the art in the manner asserted by the Examiner. In other words, the reasons for modifying or combining the art of record should be gleaned from the teachings in the art, and should not merely be a reconstruction of Applicants' claims with the art of record. In the instant rejection, as the asserted modification of the wire of SE '053 and HAY results in a wire that is no longer able to operate in its intended manner, i.e., no

embossing would occur, Applicants submit that the combination or modification in view of ALBANY is not obvious, and, therefore, is improper and should be withdrawn.

As was briefly discussed above, KAMPS discloses an embossing wire that is structured to change the appearance of the web. However, in contrast to the instant invention, KAMPS fails to provide any teaching or suggestion of an effect on physical characteristics of web. Moreover, Applicants note that, while the patterns in the wire of KAMPS are formed in a number of ways, i.e., silk screening, stitching, appliqués, etc., there is no teaching or suggestion of a two zoned weave pattern similar in general to that of SE '053 or HAY. As such, Applicants submit that KAMPS fails to provide any teaching or suggestion with regard to modifying the pattern dimensions of either SE '053 or HAY, and certainly fails to provide any teaching or suggestion for modifying SE '053 or HAY in any manner that would prevent the wires of SE '053 or HAY from operating in their intended manners. Moreover, for the reasons discussed above, ALBANY fails to teach or suggest any subject matter that would address these deficiencies, such that no proper combination of the art of record would render the instant invention unpatentable.

Moreover, Applicants submit that, as KAMPS, like SE '053 and HAY, specifically intends to create or form a patterned or textured web, it would not have been obvious to one ordinarily skilled in the art to combine these documents in any manner that would dimension the pattern so as to negate the embossing effect.

Further, Applicants note that SE '053, HAY, and KAMPS provide apparatuses and/or processes intended to improve an *optical*, more particularly, a visual property, i.e., the appearance, of a tissue web, by embossing or patterning the web with a patterned or embossing forming wire. While Applicants acknowledge that the look/appearance of the web can arguably be broadly construed as a physical characteristic of the web, Applicants submit that there is no teaching of suggestion in any of the applied art of modifying either of SE '053 or HAY in any manner that allows these wire to continue operating in their intended manner that would likewise achieve the intended "physical" characteristic of the instant invention. Thus, Applicants submit that there is no teaching or suggestion for combining the art of record in any manner that would render unpatentable the instant invention.

Because the applied art fails to disclose at least the above-noted features of the invention, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claims 1 and 11, and that the instant rejection under 35 U.S.C. § 103(a) is improper and should be withdrawn.

Applicants further note that, in addition to the foregoing, none of the applied documents of record teach or suggest the suction zone recited in at least claims 3 and 16. In particular, none of the applied documents provides any teaching or suggestion of a suction device arranged at a separation point between two circulating belts, and certainly there is no

teaching or suggestion of utilizing such a device with a wire having at least two different permeabilities, as recited in claims 3 and 16.

Further, Applicants submit that claims 2 - 10 and 12 - 26 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that no proper modification of KAMPS teaches or suggests, *inter alia*, said at least one dewatering wire is provided in an initial dewatering region, as recited in claim 2; a former which includes a forming element and two circulating, continuous dewatering belts, at least one of which comprises said at least one dewatering wire with at least two different wire permeabilities, said two circulating belts being arranged to converge to form a stock inlet nip, and then being guided over said forming element, as an outer belt, which does not come into contact with said forming element and as an inner belt, wherein at least one of said outer belt and said inner belt comprise said at least one dewatering wire with at least two different wire permeabilities, and a suction device is arranged at a separation point between said two circulating belts in which the tissue web is transferred from said at least one dewatering wire with at least two different permeabilities to the other of said two circulating belts, as recited in claim 3; said forming element comprises a forming roll, as recited in claim 4; said former comprises a double wire former, as recited in claim 5; said former comprises a crescent former, wherein said outer belt is formed by said at least one dewatering wire with at least

two different wire permeabilities and wherein said inner belt is formed by a felt belt, as recited in claim 6; said at least one dewatering wire comprises a woven material formed of warp and weft threads, as recited in claim 7; said at least two zones of different wire permeabilities of said at least one dewatering wire are formed by weaving threads of at least one of different diameter and different weaving pattern, as recited in claim 8; a conditioning device assigned to said at least one dewatering wire, as recited in claim 9; said conditioning device comprises a wire cleaning device, as recited in claim 10; performing dewatering at a machine speed that is greater than approximately 1300 m/min, as recited in claim 12; the dewatering is performed at greater than approximately 1500 m/min, as recited in claim 13; the dewatering is performed at greater than approximately 1800 m/min, as recited in claim 14; using the at least one dewatering wire in an initial dewatering region, as recited in claim 15; the use of a former which includes a forming element and two circulating, continuous dewatering belts, at least one of which comprises said at least one dewatering wire with at least two different wire permeabilities; the two circulating belts being arranged to converge to form a stock inlet nip, and then being guided over the forming element, as an outer belt, which does not come into contact with the forming element and as an inner belt, wherein at least one of the outer belt and the inner belt comprise the at least one dewatering wire with at least two different wire permeabilities, and a suction device is arranged at a separation point between the two circulating belts in which the tissue web is transferred from the at least

one dewatering wire with at least two different permeabilities to the other of the two circulating belts, as recited in claim 16; the forming element comprises a forming roll, as recited in claim 17; the former comprises a double wire former, as recited in claim 18; the former comprises a crescent former, wherein the outer belt is formed by a dewatering wire with at least two different wire permeabilities and wherein the inner belt is formed by a felt belt, as recited in claim 19; the at least one dewatering wire comprises a woven material formed of warp and weft threads, as recited in claim 20; the at least two zones of different wire permeabilities of the at least one dewatering wire are formed by weaving threads comprising at least one of different diameter and different weaving pattern, as recited in claim 21; the at least one dewatering wire is used in a region in which a dry content of the tissue web is less than approximately 20%, as recited in claim 22; the dry content of the tissue web is less than approximately 12%, as recited in claim 23; the at least one dewatering wire is used in an initial sheet forming region at a dry content less than approximately 6%, as recited in claim 24; said at least two zones having different wire permeabilities are structured to produce different dewatering speeds, as recited in claim 25; and dewatering speeds in the at least two zones are different, as recited in claim 26.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 1 - 26 under 35 U.S.C. § 103(a) and indicate that the claims are allowable.

2. Over SE '053 or Hay in view of Albany and Kamps and further in view of Kotitschke

Applicants traverse the rejection of claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over SE '053 or HAY in view of ALBANY and KAMPS and further in view of KOTITSCHKE (U.S. Patent No. 5,517,714).

Applicants note that, like the other applied documents of record, KOTITSCHKE fails to teach or suggest a dewatering wire having at least two zones with different wire permeabilities in which each at least two zones has at least one dimension of length and width less than 5 mm. As none of the applied documents teach or suggest at least the above-noted features, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claims 1 and 11.

Moreover, Applicants note that KOTITSCHKE fails to teach or suggest any motivation or rationale for modifying the wires of SE '053 or HAY in any manner which would be inconsistent with their intended use as embossing wires, and fails to provide any teaching or suggestion that modifying the weave pattern to that recited in the pending claims would result in improving the physical characteristics of the web.

Moreover, as none of the applied art provides any suggestion of the problem sought to be solved by the instant invention, i.e., to improve web qualities such a bulk, Applicants submit that the Examiner has not shown any teaching in the art which would lead one ordinarily skilled in the art to modify SE '053 or HAY in such a way that these wires no longer operate in their intended manner, and has not shown any teaching in the art that would

lead one modify such a wire in order to improve the desired physical characteristics of the web. Accordingly, Applicants submit that the art of record fails to provide the necessary motivation or rationale for combining the documents in any manner which would render the instant invention obvious.

Further, Applicants submit that claims 9 and 10 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that no proper combination of SE '053 or HAY in view of ALBANY, KAMPS, and KOTITSCHKE teaches or suggests, *inter alia*, a conditioning device assigned to said at least one dewatering wire, as recited in claim 9; and said conditioning device comprises a wire cleaning device, as recited in claim 10.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 9 and 10 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

3. Over SE '053 or Hay in view of Albany and Kamps and further in view of Eaton

Applicants traverse the rejection of claims 12 - 14 under 35 U.S.C. § 103(a) as being unpatentable over KAMPS in view of EATON et al. (U.S. Patent No. 5,225,042) [hereinafter "EATON"].

Applicants note that EATON also fails to provide any teaching or suggestion of a

dewatering wire having at least two zones with different wire permeabilities in which each at least two zones has at least one dimension of length and width less than 5 mm, as recited in the independent claims. As none of the applied documents teach or suggest at least the above-noted features, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claims 1 and 11.

Moreover, Applicants note that EATON fails to teach or suggest any motivation or rationale for modifying the wires of SE '053 or HAY in any manner that would be contrary to their express intention of forming a patterned or textured web through embossing, and fails to provide any teaching or suggestion that modifying the weave pattern in the manner recited in the pending claims would result in improving the physical characteristics of the web.

Moreover, as none of the applied art provides any suggestion of the problem sought to be solved by the instant invention, i.e., to improve web qualities such a bulk, Applicants submit that the Examiner has not shown any teaching in the art which would lead one ordinarily skilled in the art to modify SE '053 or HAY in such a way that these wires no longer operate in their intended manner, and has not shown any teaching in the art that would lead one modify such a wire in order to improve the desired physical characteristics of the web. Accordingly, Applicants submit that the art of record fails to provide the necessary motivation or rationale for combining the documents in any manner which would render the

instant invention obvious.

Further, Applicants submit that claims 12 - 14 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit that no proper combination of SE '053 or HAY in view of ALBANY, KAMPS, and EATON teaches or suggests, *inter alia*, performing dewatering at a machine speed that is greater than approximately 1300 m/min, as recited in claim 12; the dewatering is performed at greater than approximately 1500 m/min, as recited in claim 13; the dewatering is performed at greater than approximately 1800 m/min, as recited in claim 14.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 12 - 14 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

4. Over SE '053 or Hay in view of Albany and Kamps and further in view of Turunen

Applicants traverse the rejection of claims 5, 12 - 14, and 18 under 35 U.S.C. § 103(a) as being unpatentable over KAMPS in view of TURUNEN et al. (U.S. Patent No. 4,144,124) [hereinafter "TURUNEN"].

Applicants note that TURUNEN fails to teach or suggest a dewatering wire having at least two zones with different wire permeabilities in which each at least two zones has at least one dimension of length and width less than 5 mm. As each applied document fails to

teach or suggest at least the above-noted features, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claims 1 and 11.

Moreover, Applicants note that TURUNEN fails to teach or suggest any motivation or rationale for modifying the wires of SE '053 or HAY to function in a manner inconsistent with its stated purpose, and fails to provide any teaching or suggestion that modifying the weave pattern to that recited in the pending claims would result in improving the physical characteristics of the web.

Moreover, as none of the applied art provides any suggestion of the problem sought to be solved by the instant invention, i.e., to improve web qualities such a bulk, Applicants submit that the Examiner has not shown any teaching in the art which would lead one ordinarily skilled in the art to modify SE '053 or HAY in such a way that these wires no longer operate in their intended manner, and has not shown any teaching in the art that would lead one modify such a wire in order to improve the desired physical characteristics of the web. Accordingly, Applicants submit that the art of record fails to provide the necessary motivation or rationale for combining the documents in any manner which would render the instant invention obvious.

Further, Applicants submit that claims 5, 12 - 14, and 18 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite

additional features that further define the present invention. In particular, Applicants submit that no proper combination of SE '053 or HAY in view of ALBANY, KAMPS, and TURUNEN teaches or suggests, *inter alia*, said former comprises a double wire former, as recited in claim 5; performing dewatering at a machine speed that is greater than approximately 1300 m/min, as recited in claim 12; the dewatering is performed at greater than approximately 1500 m/min, as recited in claim 13; the dewatering is performed at greater than approximately 1800 m/min, as recited in claim 14; and the former comprises a double wire former, as recited in claim 18.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 5, 12 - 14, and 18 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

5. Over SE '053 or Hay in view of Albany and Kamps and further in view of WO '242

Applicants traverse the rejection of claims 3 and 16 under 35 U.S.C. § 103(a) as being unpatentable over SE '053 or HAY in view of ALBANY and KAMPS and further in view of WO94/28242 [hereinafter "WO '242"].

Applicants note that, contrary to the Examiner's assertions, WO '242 fails to teach or suggest the suction device recited in at least claims 3 and 16. In particular, as recited in the claims, the suction device is arranged *at a separation point between the circulating belts*, which is neither taught nor suggested by WO '242. As shown in the Figures of WO '242,

the suction device is positioned along a common run of two circulating belts, not at a separation point of the belts.

Thus, Applicants submit that no proper combination of the applied document can render unpatentable the combination of features recited in at least claims 3 and 16.

Moreover, Applicants submit that WO '242 also fails to teach or suggest a dewatering wire having at least two zones with different wire permeabilities in which each at least two zones has at least one dimension of length and width less than 5 mm. Because none of the applied documents teach or suggest at least the above-noted features, Applicants submit that no proper combination of these documents can render unpatentable the combination of features recited in at least independent claims 1 and 11.

Moreover, Applicants note that WO '242 fails to teach or suggest any motivation or rationale for modifying the wires of SE '053 or HAY in any manner which would be inconsistent with their intended use as embossing wires, and fails to provide any teaching or suggestion that the modifying the weave pattern to that recited in the pending claims would result in improving the physical characteristics of the web.

Moreover, as none of the applied art provides any suggestion of the problem sought to be solved by the instant invention, i.e., to improve web qualities such a bulk, Applicants submit that the Examiner has not shown any teaching in the art which would lead one ordinarily skilled in the art to modify SE '053 or HAY in such a way that these wires no

longer operate in their intended manner, and has not shown any teaching in the art that would lead one modify such a wire in order to improve the desired physical characteristics of the web. Accordingly, Applicants submit that the art of record fails to provide the necessary motivation or rationale for combining the documents in any manner which would render the instant invention obvious.

Accordingly, for the additional reasons set forth above, Applicants submit that claims 3 and 16 are separately patentable over the independent claims, and that these claims are allowable over any proper combination of the applied art. In particular, Applicants submit that no proper combination of SE '053 or HAY in view of ALBANY, KAMPS, and WO '242 teaches or suggests, *inter alia*, a former which includes a forming element and two circulating, continuous dewatering belts, at least one of which comprises said at least one dewatering wire with at least two different wire permeabilities, said two circulating belts being arranged to converge to form a stock inlet nip, and then being guided over said forming element, as an outer belt, which does not come into contact with said forming element and as an inner belt, wherein at least one of said outer belt and said inner belt comprise said at least one dewatering wire with at least two different wire permeabilities, and a suction device is arranged at a separation point between said two circulating belts in which the tissue web is transferred from said at least one dewatering wire with at least two different permeabilities to the other of said two circulating belts, as recited in claim 3; and the use of a former which

includes a forming element and two circulating, continuous dewatering belts, at least one of which comprises said at least one dewatering wire with at least two different wire permeabilities; the two circulating belts being arranged to converge to form a stock inlet nip, and then being guided over the forming element, as an outer belt, which does not come into contact with the forming element and as an inner belt, wherein at least one of the outer belt and the inner belt comprise the at least one dewatering wire with at least two different wire permeabilities, and a suction device is arranged at a separation point between the two circulating belts in which the tissue web is transferred from the at least one dewatering wire with at least two different permeabilities to the other of the two circulating belts, as recited in claim 16.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 3 and 16 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The Commissioner is authorized to charge to Deposit Account No. 19 - 0089 any

necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, in order to maintain pendency of this application.

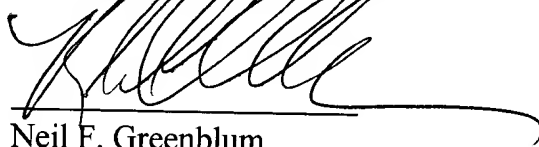
CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1 - 26. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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